THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.26329 OF 2005

DATED: 12-04-2007

BETWEEN

Mateti Suryavenkata Satya Ramachander Rao,
S/o. Gopala Rao, Occ: Retired Head Karnam,
R/o. Koyyalagudem Mandal & Village,
West Godavari District.

...PETITIONER

AND

The Superintendent of Police,
West Godavari District, Eluru
and others.

...RESPONDENTS

ORDER:

Petitioner submits that there are certain civil disputes between him and the fourth respondent in respect of immovable property and that they are brothers. In that connection the police is interfering with his personal life and liberty.

2. The fourth respondent also submits that the police is unnecessarily interfering with their civil disputes with regard to their shares.

3. The third respondent filed a counter stating that neither the petitioner nor the fourth respondent filed any complaint against each other making allegations of committing cognizable offence and that the police never interfered with their civil disputes. In fact, the petitioner has not filed any representation seeking protection to safeguard his properties as alleged by him and more so no complaint has been received from the petitioner with

regard to the illegal interference of the unofficial respondents; therefore, the question of initiating any action does not arise.

4. In view of the categorical denial of the allegations of the petitioner by the official respondents, I am of the opinion that the disputed questions of fact cannot be decided in a writ petition.

The writ petition is accordingly dismissed. There shall be no order as costs.

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V. ESWARAIAH, J

April 12, 2007
DSK